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Attorney for Defendant
INFINITE ENERGY HOME SERVICES, INC.

THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA - SACRAMENTO

INFINITY ENERGY, INC., a California Corporation)	CASE NO.: 2:21-CV-00438-WBS-KJN
Plaintiff,)	ASSIGNED TO:
vs.)	THE HON. WILLIAM B. SHUBB
INFINITE ENERGY HOME SERVICES, INC.)	AMENDED REQUEST TO MODIFY SCHEDULING ORDER AND ORDER
Defendant.)	SUIT FILED: MARCH 11, 2021
)	TRIAL: AUGUST 30, 2022
)	
)	

Pursuant to Federal Rules of Civil Procedure, Rule 16(b)(4), plaintiff Infinity Energy, Inc. ("Plaintiff") and defendant Infinite Energy Home Services, Inc. ("Defendant") (collectively, the "Parties") jointly request the court modify the pretrial scheduling order, issued on June 29, 2021.

The court has authority to modify the pretrial scheduling order for good cause. (FRCP Rule 16(b)(4))

The Parties have engaged in good faith settlement discussions that have taken the better part of several months. While no agreement has been reached as of yet, discussions took longer than anticipated. In an effort to try to reach a resolution without incurring unnecessary



1 fees, the Parties did so at the expense of minimizing discovery. While the Parties are hopeful a
2 resolution can be reached, the Parties require additional time to complete discovery.

3 The Parties request the following modifications be made to the June 29, 2021 pretrial
4 scheduling order:

5 1. The Parties shall disclose expert reports in accordance with FRCP 26(a)(2) by no
6 later than March 3, 2022. With regard to expert testimony intended solely for rebuttal, those
7 experts shall be disclosed and reports produced in accordance with FRCP 26(a)(2) on or before
8 April 1, 2022.

9 2. All discovery, including depositions for preservation of testimony, shall be
10 conducted as to be completed by May 4, 2022.

11 3. All motions, except for motions for continuances, temporary restraining orders,
12 or other emergency orders, shall be filed on or before June 25, 2022.

13 4. The pretrial conference shall be held on August 15, 2022 at 1:30 p.m.

14 5. Trial shall commence on October 11, 2022 at 9:00 a.m.

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28 DATED: December 30, 2021

ELDUINDY, MEYER & KOEGEL, APC



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By: /s/ W. Patrick Cronican

DAVID L. PRICE
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Attorneys for Plaintiff
INFINITY ENERGY, INC.

DATED: December 30, 2021

KROGH & DECKER, LLP

By: /s/ Jason G. Eldred

SHAWN M. KROGH
JASON G. ELDRED
Attorneys for Defendant
INFINITE ENERGY HOME SERVICES, INC.



ORDER

Having found good cause exists pursuant to FRCP 16(b)(4), the court GRANTS the Parties' motion to modify the June 29, 2021 pretrial scheduling order.

The June 29, 2021 pretrial scheduling order is modified as follows:

1. The Parties shall disclose expert reports in accordance with FRCP 26(a)(2) by no later than March 3, 2022. With regard to expert testimony intended solely for rebuttal, those experts shall be disclosed and reports produced in accordance with FRCP 26(a)(2) on or before April 1, 2022.

2. All discovery, including depositions for preservation of testimony, shall be conducted as to be completed by May 4, 2022.


3. All motions, except for motions for continuances, temporary restraining orders, or other emergency orders, shall be filed on or before June 25, 2022.

4. The pretrial conference shall be held on **August 15, 2022 at 1:30 p.m.**

5. Trial shall commence on **October 12, 2022 at 9:00 a.m.**

IT IS ORDERED

Dated: January 4, 2022


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

